

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Earl Lionell Ward,

Case No. 21-cv-0930 (WMW/DTS)

Petitioner,

v.

**ORDER DENYING
PETITIONER'S MOTION
FOR RECONSIDERATION**

Tracy S. Beltz,

Respondent.

This matter is before the Court on Petitioner Earl Lionell Ward's October 3, 2022 motion to reconsider this Court's August 31, 2022 Order, (Dkt. 24), which declined to reopen this matter pursuant to Rule 60(b), Fed. R. Civ. P.

Local Rule 7.1(j) prohibits filing a motion to reconsider without leave of court. A party may receive permission to file a motion to reconsider only by showing "compelling circumstances." LR 7.1(j). "Motions for reconsideration serve a limited function: to correct manifest errors of law or fact or to present newly discovered evidence." *Hagerman v. Yukon Energy Corp.*, 839 F.2d 407, 414 (8th Cir. 1988) (internal quotation marks omitted). A motion to reconsider cannot be employed to repeat arguments previously made, introduce evidence or arguments that could have been made earlier or tender new legal theories for the first time. *See id.*

Ward has not sought permission to file the pending motion to reconsider. But even liberally construing Ward's *pro se* filing as a *request* to file a motion for reconsideration, *see Olsen as Tr. for Xurex, Inc. v. Di Mase*, 24 F.4th 1197, 1202 (8th

Cir. 2022), the Court denies Ward's request. Ward's filing does not demonstrate the "compelling circumstances" necessary to seek reconsideration under Local Rule 7.1(j). Accordingly, the Court denies Ward's motion.

ORDER

Based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that Petitioner Earl Lionell Ward's motion for reconsideration, (Dkt. 24), is **DENIED**.

Dated: October 6, 2022

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge